

AN ORDINANCE OF THE BOARD OF COUNTY COMMISSIONERS OF PALM BEACH COUNTY, FLORIDA AMENDING THE 1989 COMPREHENSIVE PLAN AS ADOPTED BY ORDINANCE NO. 89-17, AS AMENDED; AMENDING THE **INTRODUCTION AND ADMINISTRATION ELEMENT** (TO REVISE THE DEFINITION FOR USABLE OPEN SPACE); **FUTURE LAND USE ELEMENT** (TO REVISE FOR CONSISTENCY WITH THE DEFINITION OF USABLE OPEN SPACE); AND AMENDING ALL ELEMENTS AS NECESSARY; PROVIDING FOR REPEAL OF LAWS IN CONFLICT; PROVIDING FOR SEVERABILITY; PROVIDING FOR INCLUSION IN THE 1989 COMPREHENSIVE PLAN; AND PROVIDING FOR AN EFFECTIVE DATE

WHEREAS, on August 31, 1989, the Palm Beach County Board of County Commissioners adopted the 1989 Comprehensive Plan by Ordinance No. 89-17; and

WHEREAS, the Palm Beach County Board of County Commissioners amends the 1989 Comprehensive Plan as provided by Chapter 163, Part II, Florida Statutes; and

WHEREAS, the Palm Beach County Board of County Commissioners have initiated amendments to several elements of the Comprehensive Plan in order to promote the health, safety and welfare of the public of Palm Beach County; and

WHEREAS, the Palm Beach County Local Planning Agency conducted its public hearings on June 9 and 16, 2000 to review the proposed amendments to the Palm Beach County Comprehensive Plan and made recommendations regarding the proposed amendments to the Palm Beach County Board of County Commissioners pursuant to Chapter 163, Part II, Florida Statutes; and

WHEREAS, the Palm Beach County Board of County Commissioners, as the governing body of Palm Beach County, conducted a public hearing pursuant to Chapter 163, Part II, Florida Statutes, on July 12, 2000 to review the recommendations of the Local Planning Agency, whereupon the Board of County Commissioners authorized transmittal of proposed amendments to the Department of Community Affairs for review and comment pursuant to Chapter 163, Part II, Florida Statutes; and

WHEREAS, Palm Beach County received on October 4, 2000 the Department of Community Affairs "Objections, Recommendations, and Comments Report," dated September 29, 2000 which was the Department's

1 written review of the proposed Comprehensive Plan amendments; and

2 **WHEREAS**, the written comments submitted by the Department of
3 Community Affairs contained no objections to the amendments contained
4 in this ordinance;

5 **WHEREAS**, on December 6, 2000 the Palm Beach County Board of County
6 Commissioners held a public hearing to review the written comments
7 submitted by the Department of Community Affairs and to consider
8 adoption of the amendments; and

9 **WHEREAS**, the Palm Beach County Board of County Commissioners has
10 determined that the amendments comply with all requirements of the
11 Local Government Comprehensive Planning and Land Development
12 Regulations Act.

13 **NOW, THEREFORE, BE IT ORDAINED BY THE BOARD OF COUNTY**
14 **COMMISSIONERS OF PALM BEACH COUNTY, FLORIDA, that:**

15 **Part I. Amendments to the 1989 Comprehensive Plan**

16 Amendments to the following Elements of the 1989 Comprehensive
17 Plan are hereby adopted and attached to this Ordinance in Exhibit 1:

18 **A. Introduction and Administration Element**, to revise the
19 definition for usable open space;

20 **B. Future Land Use Element**, to revise for consistency with the
21 definition of usable open space;

22 **C. And amending all elements as necessary for internal**
23 consistency.

24 **Part II. Repeal of Laws in Conflict**

25 All local laws and ordinances applying to the unincorporated area
26 of Palm Beach County in conflict with any provision of this ordinance
27 are hereby repealed to the extent of such conflict.

28 **Part III. Severability**

29 If any section, paragraph, sentence, clause, phrase, or word of
30 this Ordinance is for any reason held by the Court to be
31 unconstitutional, inoperative or void, such holding shall not affect
32 the remainder of this Ordinance.

33 **Part IV. Inclusion in the 1989 Comprehensive Plan**

1 The provision of this Ordinance shall become and be made a part
2 of the 1989 Palm Beach County Comprehensive Plan. The Sections of the
3 Ordinance may be renumbered or relettered to accomplish such, and the
4 word "ordinance" may be changed to "section," "article," or any other
5 appropriate word.

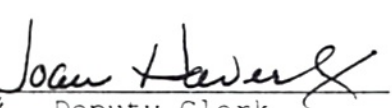
6 **Part V. Effective Date**

7 The effective date of this plan amendment shall be the date a
8 final order is issued by the Department of Community Affairs or
9 Administration Commission finding the amendment in compliance in
10 accordance with Section 163.3184, Florida Statutes, whichever occurs
11 earlier. No development orders, development permits, or land uses
12 dependent on this amendment may be issued or commence before it has
13 become effective. If a final order of noncompliance is issued by the
14 Administration Commission, this amendment may nevertheless be made
15 effective by adoption of a resolution affirming its effective status,
16 a copy of which resolutions shall be sent to the Department of
17 Community Affairs, Bureau of Local Planning, 2555 Shumard Oak Boulevard
18 Tallahassee, Florida 32399-2100.

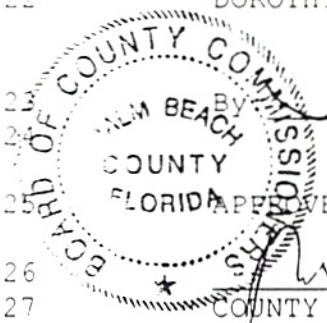
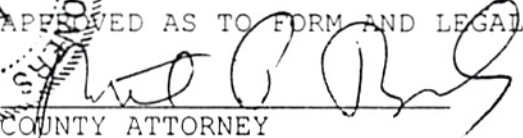
19 **APPROVED AND ADOPTED** by the Board of County Commissioners of Palm
20 Beach County, on the 6 day of December, 2000.

21 ATTEST:
22 DOROTHY H. WILKEN, Clerk

PALM BEACH COUNTY, FLORIDA,
BY ITS BOARD OF COUNTY COMMISSIONERS

23 
24 Deputy Clerk

By  Chair

25  APPROVED AS TO FORM AND LEGAL SUFFICIENCY
26 
27 COUNTY ATTORNEY

28 Filed with the Department of State on the 12th day
29 of December, 2000.

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EXHIBIT 1

A. Introduction and Administration Element, Usable Open Space

REVISIONS: To revise the definition for usable open space. The revisions are numbered below, and shown with the added text underlined, and the deleted text ~~struck out~~.

1. REVISED Comprehensive Plan Definitions:

Usable Open Space - Pervious, vegetated areas ~~in edge areas~~, parks and squares as well as impervious "hardscaped" areas which are openly accessible to the public, such as plazas, squares, and courtyards. This open space can be used for passive or active recreation as well as formal and informal gatherings; however, credit shall not be given for: any indoor or climate-controlled spaces, road rights-of-way, building setback areas, impervious surface courts (tennis, basketball, handball, etc.), swimming pools, parking lots and other impervious surfaces, and any pervious green area not intended for passive or active recreation or gatherings of a formal or informal nature.

B. Future Land Use Element, Usable Open Space

REVISIONS: To revise for consistency with the definition of usable open space. The revisions are numbered below, and shown with the added text underlined, and the deleted text ~~struck out~~.

1. REVISED: TABLE 2.2.10-1 ALLOWABLE MIX OF FUTURE LAND USES IN A TTD

Future Land Use	DENSITY/ INTENSITY	MINIMUM *	MAXIMUM *
RESIDENTIAL (TTD)		51%	-
Neighborhood:		55%	
• Low Density	>0 - 4 du/ac	10%	55%
• Medium Density	4.1- 8 du/ac	20%	25%
• High Density	8.1- 18 du/ac	-	20%
COMMERCIAL/OFFICE (TTD)	1.5 FAR	4%	15%
Neighborhood			
• Shopfront*	1.5 FAR	4%	15%
LIGHT INDUSTRIAL/WORKPLACE (TTD)	2.0 FAR	2%	20%
Neighborhood			
• Workplace*	2.0 FAR	2%	20%
RECREATION/OPEN SPACE (TTD)		10%	-
USEABLE OPEN GREEN SPACE (TTD)*		5%	-
Neighborhood			
• Recreation/Open Space		2%	-
INSTITUTIONAL AND PUBLIC FACILITIES (TTD)	0.75 FAR	4%	
Neighborhood			
• Civic (Private)*	0.75 FAR	2%	-

* See DEFINITIONS section of INTRODUCTION/ADMINISTRATION for explanations of future land uses specific to TTDs.

2. Implementation Section, Traditional Town Development

18. be designed to provide for well defined public spaces, buildings, and vistas which terminate on focal points. Usable public open ~~green~~ space shall comprise a minimum of five (5) percent of the developable area. Linkages between open spaces, in the form of pedestrian and bike paths, shall be provided for within and without the development;

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STATE OF FLORIDA, COUNTY OF PALM BEACH
I, DOROTHY H. WILKEN, ex-officio Clerk of the
Board of County Commissioners certify this to be a
true and correct copy of the original filed in my office
on December 6, 2020
DATED at West Palm Beach, FL on 12/19/20
DOROTHY H. WILKEN, Clerk
By: Diane Brown Usable Open Space D.C.